



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of:

November 16, 2004

DAVID KARL BIDNER, GOPICHANDRA SURNILLA,
MICHAEL JOHN CULLEN and, SHANE ELWART

Serial No.: 10/716,693

Group Art Unit: 3747

Filed : November 18, 2003

Examiner: Johnny Hoang

For : COMPUTER INSTRUCTIONS FOR CONTROL OF MULTI-PATH
EXHAUST SYSTEM IN AN ENGINE

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

S i r :

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicants received an Office Action dated August 24, 2004 on the above-identified patent application. In the Notice, the Examiner allowed claims 22-33. The Examiner also paraphrased applicant's claimed invention as part of the stated reasons for allowance. Applicant agrees with the Examiner's conclusions regarding the patentability of the allowed claims, without necessarily agreeing with or acquiescing in the Examiner's reasoning. In particular, applicant believes that the application is allowable because the prior art fails to teach or suggest the invention as claimed, independent of how the invention is paraphrased.

Please contact the undersigned if you have any questions or comments, or if applicant can be of any assistance in expediting issuance of the patent.

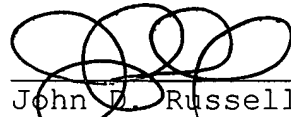
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on November 16, 2004.


Lauren Barberena

Respectfully submitted,

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AMENDMENT

In response to the Office action dated August 24, 2004, 2004, applicant submits herewith a terminal disclaimer to obviate the issue of double patenting. As such, claims 21-33 should be in condition for allowance.

If any further amendment is necessary to advance prosecution and place this case in allowable condition, the Examiner is courteously requested to contact the undersigned by fax or telephone at the number listed below.

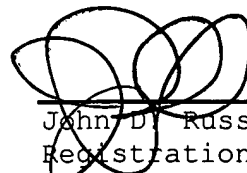
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